

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ERIC LAMAR WOODLEY,

Petitioner,

Civil Case No. 13-11190

Criminal Case No. 04-80335

v.

Hon. Gerald E. Rosen

UNITED STATES OF AMERICA,

Respondent.

**ORDER DENYING PETITIONER'S
MOTION FOR RECONSIDERATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on October 14, 2016

PRESENT: Honorable Gerald E. Rosen
United States District Judge

In an opinion and order dated September 8, 2016, the Court determined that Petitioner Eric Lamar Woodley's motion under 28 U.S.C. § 2255 to vacate his sentence was subject to dismissal as untimely filed well beyond the usual one-year period of limitation for seeking relief under § 2255. Through the present motion filed on September 27, 2016, Petitioner seeks reconsideration of the Court's September 8 ruling on several grounds.

Under Local Rule 7.1(h)(3) of the Eastern District of Michigan,¹ the Court ordinarily “will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court” in its challenged decision. Petitioner’s present motion runs afoul of this rule, as it merely repeats the arguments advanced in Petitioner’s underlying § 2255 motion and accuses the Court of misconstruing the statements made in and the record accompanying this motion. Petitioner’s bare disagreement or dissatisfaction with this Court’s resolution of his § 2255 motion does not provide a basis for revisiting the Court’s September 8 ruling. *See Smith v. Mount Pleasant Public Schools*, 298 F. Supp.2d 636, 637 (E.D. Mich. 2003) (explaining that “[a] motion for reconsideration is not properly used as a vehicle to rehash old arguments”).

For this reason,

NOW, THEREFORE, IT IS HEREBY ORDERED that Petitioner’s September 27, 2016 motion for reconsideration (docket #458) is DENIED.

s/Gerald E. Rosen
United States District Judge

Dated: October 14, 2016

¹Although this is a local rule for civil cases, it has been made applicable to criminal cases pursuant to Local Criminal Rule 1.1 and Local Civil Rule 1.1(c) of this District.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 14, 2016, by electronic and/or ordinary mail.

s/Shawna C. Burns
Case Manager Generalist